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Attorneys for Plaintiff/Judgment Creditor
Wynn Resorts Holding, LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

WYNN RESORTS HOLDINGS, LLC, a
Nevada Limited Liability Company,

Plaintiff,

v.

G DESIGN, an entity of unknown origin,

Defendant.

Case No. 2:06-cv-01283-RCJ-PAL

RENEWED DEFAULT JUDGMENT

On April 13, 2007, a Default Judgment was entered by this Court against Defendant G Design, an entity of unknown origin. On April 8, 2013, an Affidavit of Renewal of Judgment was filed. The Default Judgment entered on April 13, 2007 is hereby renewed. The terms of the Default Judgment are set forth below:

Plaintiff Wynn Resorts Holdings, LLC, having filed a Motion for Entry of Default Judgment against Defendant G. Design pursuant to Rule 55 of the Federal Rules of Civil Procedure; the Defendant having failed to respond to, or answer, Plaintiff's Complaint previously served upon Defendant; the Clerk of the Court having entered Default against Defendant on G. Design; this court having now given due consideration to Plaintiff's Motion for such judgment as well as papers, pleadings, and exhibits offered in support thereof; and the Court being further fully advised in the matter and there having been no appearance made by Defendant, it is therefore,

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1 ORDERED, ADJUDGED AND DECREED that Judgment be entered in favor of
2 Plaintiff Wynn Resorts Holdings, LLC, and against Defendant G. Design, on all counts of
3 Plaintiff's Complaint; and, it is further ordered and adjudged that said Judgment shall include
4 the following specific findings of fact and award of specific relief:

5 a. Plaintiff Wynn Resorts, LLC is the owner of certain WYNN trademarks and
6 variations thereof used in relation to among other things hotel and travel reservations as
7 identified in the Complaint;

8 b. Plaintiff Wynn Resorts Holdings, LLC's WYNN marks are famous;

9 c. Defendant registered and used the Infringing Domain Name
10 <lasvegaswynn.com> with the bad faith intent to profit from its use of Plaintiff's marks;

11 d. Defendant provided direct links to hotel and travel reservation sites which were
12 accessible through Defendant's Infringing Domain Name at <lasvegaswynn.com>.

13 e. Plaintiff and defendant are competitors and the respective services offered by
14 each are similar;

15 f. Defendant's use of the term WYNN in connection with its services is likely to
16 cause confusion as to the source and origin of Defendant's services;

17 g. Defendant's use of the term WYNN in connection with its services has and is
18 likely to continue to cause dilution of Plaintiff Wynn Resorts Holdings, LLC's WYNN marks;

19 h. Should Defendant's use of the term WYNN continue, Plaintiff will continue to
20 suffer irreparable injury to its good will and reputation which was established through use of the
21 WYNN marks and for which an award of damages would be inadequate;

22 i. Should Defendant's use of the term WYNN continue, Plaintiff will continue to
23 suffer irreparable injury as the WYNN marks will lose their capacity to identify its goods and
24 services; i.e., they will be diluted, for which an award of damages would be inadequate;

25 j. Defendant acted willfully in its infringement and dilution of the WYNN marks;
26 and

27 k. Defendant is liable for its infringement, dilution, unfair competition and
28 cybersquatting.

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1 THEREFORE, IT IS HEREBY ORDRED that the Defendant G. Design, its respective
2 officers, agents, servants, employees, and/or all persons acting in concert or participation with it,
3 are prohibited (1) from using Plaintiff's trademarks or confusingly similar variations thereof,
4 alone or in combination with any other letters, word, letter strings, phrases or designs, in
5 commerce or in connection with any business or for any other purpose (including, but not
6 limited to, on web sites and in domain names); and (2) from registering, owning, leasing, selling
7 or trafficking in any domain name containing Plaintiff's trademarks or confusingly similar
8 variations thereof, alone or in combination with any other letters, words, phrases or designs;

9 IT IS FURTHER ORDERED that the current registrar of <lasvegaswynn.com> domain
10 name shall immediately unlock and permanently transfer <lasvegaswynn.com> domain name to
11 Plaintiff;

12 IT IS FURTHER ORDERED that Defendant pay Plaintiff \$1,000 in nominal damages
13 for corrective advertising;

14 IT IS FURTHER ORDERED that Defendant pay Plaintiff statutory damages of
15 \$1,000.00;

16 IT IS FURTHER ORDERED that Defendant pay Plaintiff's attorneys' fees and costs in
17 the amount of \$3,976.25.

18 IT IS FURTHER ORDERED that Plaintiff's cash deposit of One Hundred Dollars
19 (\$100.00) be released from the Registry Account of this Court and returned to Greenberg
20 Traurig.

21 IT IS FURTHER ORDERED that jurisdiction of this case shall be retained by this Court
22 for the purpose of enforcement of this Judgment.

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24 ///

25 ///

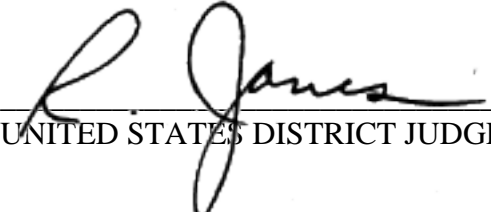
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ORDER

IT IS SO ORDERED that the Default Judgment is renewed.

Dated this 7th day of November, 2013.


UNITED STATES DISTRICT JUDGE

Submitted By:

LAWRENCE J. SEMENZA, III, P.C.

/s/ Christopher D. Kircher

Lawrence J. Semenza, III, Esq., Bar No. 7174

Christopher D. Kircher, Esq., Bar No. 11176

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